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Administration of justice at the United Nations

Amendments to the rules of procedure of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal

Report of the Secretary-General

Addendum

* A/66/150

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Annex II

Rules of procedure of the United Nations Appeals Tribunal: new article 18 *bis* (Case management) and amendment to article 19 (Adoption and issuance of judgements), adopted by the Tribunal in plenary meeting on 8 July 2011, in accordance with article 32, paragraph 1

Article 18 *bis* (Case management)

1. The United Nations Appeals Tribunal, by its decision of 8 July 2011, decided to adopt a new article 18 *bis*, for which the approval of the General Assembly is sought. The new article 18 *bis* reads as follows:

> **Article 18 *bis***
> **Case management**
>
> 1. The President may, at any time, either on a motion of a party or of his or her own volition, issue any order which appears to be appropriate for the fair and expeditious management of the case and to do justice to the parties.
>
> 2. If, before the opening date of the session during which the case is to be considered, the appellant informs the Appeals Tribunal, in writing, with notice to the respondent, that he or she wishes to discontinue the proceedings, the President may order the case to be removed from the register.
>
> 3. If an action has become devoid of purpose and there is no longer any need to adjudicate it, the President may, at any time, of his or her own volition, after having informed the parties of that intention and, if applicable, received their observations, adopt a reasoned order.
>
> 4. The President may designate a judge or a panel of judges to issue any order within the purview of this article.

Article 19 (Adoption and issuance of judgements)

2. Article 19 (Adoption and issuance of judgements), paragraph 2, as approved by the General Assembly, reads as follows:

> "Judgements shall be issued in writing and shall state the reasons, facts and law on which they are based."

3. The United Nations Appeals Tribunal, by its decision of 8 July 2011, decided to adopt an amendment to article 19, paragraph 2, adding the following text:

> "Summary judgements may be issued at any time, even when the Appeals Tribunal is not in session. They shall be adopted by panels of three judges designated by the President."

4. Consequently, the amended version of article 19, paragraph 2, for which the approval of the General Assembly is sought, reads as follows:

> 2. Judgements shall be issued in writing and shall state the reasons, facts and law on which they are based. Summary judgements may be issued at any time, even when the Appeals Tribunal is not in session. They shall be adopted by panels of three judges designated by the President.